

No 11714 Equity.

William H. Albaugh

(v)
George Miller & others

No. 11714 Equity
In the Circuit Court for Frederick
County, sitting as a Court of Equity.
December Term, 1881.

The above cause standing ready for a hearing, and being submitted, the Bill, answer, Exhibits, depositions, and all other proceedings now by the Court read and considered. It is therefore this 13th day of February in the year Eighteen hundred and eighty-one by the Judges of the Circuit Court for Frederick County, as a Court of Equity, and by the Authority of said Court, adjudged and decreed, that the land and premises mentioned in these proceedings be sold, subject however to the life estate of George Miller formerly the husband of Ann K. Miller, deceased in and to said lands; And that William H. Albaugh of Frederick County, be, and he is hereby appointed Trustee to make the said sales, and that the Course, and manner of his proceedings shall be as follows:

He shall first file in the Clerk's Office of this Court a Bond to the State of Maryland, executed by himself with a surety or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of Three thousand dollars conditioned for the faithful performance of the trust reposed in him by this Court which may be reposed in him by any future order, or decree in the premises.

He shall then proceed to make sale of the said Real Estate having first given at least three weeks previous notice of intent in some newspaper printed in Frederick County, and such other notice as he may think proper of the time, place, manner and terms of sale; which terms shall be as follows: One-half of the purchase money to be paid in Cash, on the day of sale, or on the ratification thereof by the Court, the residue in six months thereafter the purchaser or purchasers, giving his, her, or their notes, with approved security and bearing interest from the day of sale, or for Cash at the option of the purchaser, and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale, or sales agreed, and on the ratification of such sale, or sales by the Court, and on the payment of the whole purchase money and not before, the said Trustee, by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of the said property, and to his, her, or their heirs, the property to him, her, or them sold, free clear and discharged of all claim of the parties to this Cause, and of any person, or persons claiming by, from, or under them; and the said Trustee shall bring into this Court the money arising on such sale, or sales, and the bonds, or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom, the costs of this suit, and such Commission to the said Trustee, as the Court shall think proper to allow, on Consideration of the skill, attention, and fidelity, wherewith he shall appear to have discharged his trust.

Filed February 14, 1881.

John A. Lynch
Judge of the Circuit Court.

Report of